

GIBSON, DUNN & CRUTCHER LLP  
MAURICE SUH, SBN 147485  
msuh@gibsondunn.com  
JEREMY S. SMITH, SBN 283812  
jssmith@gibsondunn.com  
ANDREW M. KASABIAN, SBN 313210  
akasabian@gibsondunn.com  
PATRICK J. FUSTER, SBN 326789  
pfuster@gibsondunn.com  
333 South Grand Avenue  
Los Angeles, CA 90071-3197  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

BELL, MCANDREWS & HILTACHK LLP  
THOMAS W. HILTACHK, SBN 131215  
tomh@bmhlaw.com  
BRIAN T. HILDRETH, SBN 214131  
bhildreth@bmhlaw.com  
PAUL T. GOUGH, SBN 75502  
pgough@bmhlaw.com  
455 Capitol Mall, Suite 600  
Sacramento, CA 95814  
Telephone: 916.442.7757  
Facsimile: 916.442.7759

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BARLOW RESPIRATORY  
HOSPITAL; PIH HEALTH GOOD  
SAMARITAN HOSPITAL;  
PROVIDENCE HOLY CROSS  
MEDICAL CENTER; HOSPITAL  
ASSOCIATION OF SOUTHERN  
CALIFORNIA, an Incorporated  
California Nonprofit Membership  
Association; and CALIFORNIA  
HOSPITAL ASSOCIATION, an  
Incorporated California Nonprofit  
Membership Association,

Plaintiffs,

v.

CITY OF LOS ANGELES; OFFICE  
OF WAGE STANDARDS FOR THE  
CITY OF LOS ANGELES; ERIC  
GARCETTI, in his official capacity as  
Mayor of Los Angeles; and DOES 1-20,

Defendants.

CASE NO. 2:22-CV-04828-JLS-GJS

**JOINT STATUS UPDATE ON  
REFENDARY PETITION AND  
REQUEST FOR CONTINUANCE OF  
HEARING ON MOTION FOR  
PRELIMINARY INJUNCTION**

Hon. Josephine L. Staton

**[Fed. R. Civ. P. 65]**

Hearing Date: August 26, 2022  
Time: 10:30 a.m.  
Place: Courtroom 8A  
Judge: Hon. Josephine L. Staton

1 On August 2, 2022, Plaintiffs Barlow Respiratory Hospital, PIH Health Good  
2 Samaritan Hospital, Providence Holy Cross Medical Center, Hospital Association of  
3 Southern California, and California Hospital Association (“Plaintiffs”) and Defendants  
4 City of Los Angeles<sup>1</sup> and Eric Garcetti (“Defendants,” and with Plaintiffs, the “Parties”)   
5 stipulated to continue the hearing on Plaintiffs’ Motion for Preliminary Injunction in  
6 light of developments regarding the referendary petition for Los Angeles Ordinance  
7 No. 187566. Dkt. 30. On August 3, 2022, this Court granted the stipulation,  
8 rescheduling the hearing for August 26, 2022, at 10:30 a.m., and ordering the Parties to  
9 provide updates on “any developments that affect the need to hear the matter, or that  
10 may justify a continuance of the hearing.” Dkt. 31.

11 The Parties submit the following update: On August 10, 2022, the City Clerk  
12 issued a Conditional Acceptance of Filing receipt for the referendary petition against the  
13 Ordinance. That receipt is attached as **Exhibit A**. The news release, dated August 11,  
14 2022, from the Office of the City Clerk relating to the receipt is attached as **Exhibit B**.  
15 The Conditional Acceptance documents the date the referendary petition was filed and  
16 the total number of signatures the proponents claim are affixed to the referendary  
17 petition. *See* Los Angeles City Election Code § 716(a). The next steps in the process,  
18 as mandated by the Los Angeles City Election Code, are anticipated to take between  
19 four to six weeks to complete during which time the Ordinance remains suspended.

20 Specifically, the City Clerk first conducts an initial review to determine if the total  
21 number of signatures on the referendary petition equals or exceeds the total number  
22 required, and all the Circulator Affidavits have been completed and fully executed. *Id.*  
23 § 716(b). The City Clerk may also request the proponents of the petition to correct minor  
24 clerical errors within two business days. *Id.* It is anticipated that the initial review  
25 process will take about two to three weeks. If there are sufficient signatures, the City  
26 Clerk will issue a Final Acceptance of Filing receipt, and then proceed to the signature

---

27  
28 <sup>1</sup> The City of Los Angeles contends that the Office of Wage Standards for the City of  
Los Angeles is not a separate legal entity.

1 examination phase. *Id.* § 716(c). The Parties will promptly update the Court as soon as  
2 the City Clerk releases the outcome of its initial review and/or issues a Final Acceptance  
3 of Filing receipt.

4 During the signature examination phase, the City Clerk either verifies all the  
5 signatures to the referendary petition within 30 days after issuing the Final Acceptance  
6 of Filing receipt, *id.* § 717(a), or conducts a random sampling review to verify the  
7 signatures within 15 days after issuing the Final Acceptance of Filing receipt, *id.*  
8 § 717(b). If sufficient, the Ordinance will remain suspended until approved by the voters  
9 at an election; if insufficient, the Ordinance will take immediate effect upon the  
10 certification. *See* Los Angeles City Charter § 461(c).

11 Based on the current status, and the anticipated time it will take for the process to  
12 be completed under City law, the parties request the hearing on Plaintiffs' Motion for  
13 Preliminary Injunction be continued from August 26, 2022, to September 16, 2022, at  
14 10:30 a.m. The Parties will promptly notify the Court of any developments that would  
15 necessitate a change or cancellation of that hearing date.

1 Dated: August 16, 2022

Respectfully submitted,

2  
3 GIBSON, DUNN & CRUTCHER LLP

4  
5 By: /s/ Maurice Suh  
6 Maurice Suh

7  
8 Attorneys for Plaintiff California Hospital  
9 Association

10 BELL, MCANDREWS & HILTACHK, LLP

11  
12 By: /s/ Thomas W. Hiltachk  
13 Thomas W. Hiltachk

14  
15 Attorneys for Plaintiffs Barlow Respiratory  
16 Hospital; PIH Health Good Samaritan Hospital;  
17 Providence Holy Cross Medical Center;  
18 Hospital Association of Southern California

19 LOS ANGELES CITY ATTORNEY'S OFFICE

20 By: /s/ Arlene N. Hoang  
21 Arlene N. Hoang

22  
23 Attorneys for Defendants City of Los Angeles,  
24 also erroneously sued as the Office of Wage  
25 Standards for the City of Los Angeles, and Eric  
26 Garcetti.  
27  
28

**ECF ATTESTATION**

I, Maurice Suh, hereby attest pursuant to Local Rule 5-4.3.4(a)(2) that the concurrence in the filing of this document has been obtained by the above signatories.

Dated: August 16, 2022

/s/ Maurice Suh  
Maurice Suh

# Exhibit A

HOLLY L. WOLCOTT  
CITY CLERK

PETTY F. SANTOS  
EXECUTIVE OFFICER

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

OFFICE OF THE  
CITY CLERK  
ELECTION DIVISION

SPACE 300  
555 RAMIREZ STREET  
LOS ANGELES, CA 90012  
(213) 978-0444  
FAX: (213) 978-0370

JINNY PAK  
DIVISION MANAGER

[www.cityoflosangeles.org](http://www.cityoflosangeles.org)

August 10, 2022

Peter Leoni  
455 Capitol Mall, Suite 600  
Sacramento, CA 95814  
[pleoni@bmhlaw.com](mailto:pleoni@bmhlaw.com)

SUBJECT: Referendum Against Ordinance No. 187566 Passed by the City Council – Petition  
Conditional Acceptance of Filing Receipt

Dear Mr. Leoni,

This Conditional Acceptance of Filing receipt is for a referendum petition that was filed in this office on August 10, 2022, titled Referendum Against Ordinance No. 187566 Passed by the City Council. This petition is purported by the sponsors to contain:

- approximately 14,642 sections,
- approximately 88,387 signatures,
- contained within 37 boxes.

In addition, please be advised that our office received signature withdrawal requests from a total of 1,042 individuals.

If you have any questions, please contact us at (213) 978-0444.

Sincerely,

Jinny Pak, Chief  
Election Division

# Exhibit B





City of Los Angeles  
Office of the City Clerk

Holly L. Wolcott  
City Clerk

Jinny Pak  
Election Division Chief



## NEWS RELEASE

FOR IMMEDIATE RELEASE  
August 11, 2022

FOR MEDIA INQUIRIES:  
(213) 978-0444 / natsuda.somboonkit@lacity.org

### REFERENDUM AGAINST ORDINANCE NO. 187566 (HEALTHCARE WORKER MINIMUM WAGE)

#### PETITION FILED WITH THE CITY CLERK

LOS ANGELES (**August 11, 2022**) — Los Angeles City Clerk Holly Wolcott announced today that the Referendum Petition Against Ordinance No. 187566 (Healthcare Worker Minimum Wage) was filed yesterday, August 10, 2022. The City Clerk's Office issued a Conditional Acceptance of Filing receipt and will conduct an initial review of the petition to determine that the total number of signatures equals or exceeds the total number required, and all Circulator Affidavits have been completed and fully executed before proceeding to the examination and verification process.

As a result of the filing of the referendum petition, Ordinance No. 187566 is suspended and will not take effect while the City Clerk's Office reviews the petition to determine if it contains a sufficient number of valid voter signatures. If the City Clerk determines that the referendum petition does not contain a sufficient number of signatures, the Clerk will issue a certificate of insufficiency and the Ordinance will take effect upon the date of the certificate. If the City Clerk determines that the referendum petition contains the requisite number of signatures, the Ordinance shall remain suspended and not take effect until it is adopted by the voters of the City.

The petition must contain the valid signatures of at least 40,717 qualified, registered voters of the City of Los Angeles to qualify the referendum.\*

The Office of the City Clerk administers candidate filing for the City of Los Angeles and the Los Angeles Unified School District. More information can be found on the City Clerk's election website: <https://clerk.lacity.org/elections> or by contacting the Election Division at (213) 978-0444, or toll-free at (888) 873-1000 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

\*Per Charter Section 461(a), the number of signatures reflects 10% of total votes cast for all candidates for the Office of Mayor at the last election at which the Mayor was elected.